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Dated: October 30, 2003

Signature

(Russell C. Petersen)

Docket No.: 29618/38938  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
David C. Eby, et al.

Application No.: 10/626,081

Confirmation No.: Not Yet Received

Filed: July 24, 2003

Art Unit: Not Yet Assigned

For: THREE-SIDED FILE DIVIDER

Examiner: Not Yet Assigned

### INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

This application was filed after June 30, 2003. In compliance with the procedures for implementing the Image File Wrapper (IFW) system the U.S. Patent references identified on the enclosed Form PTO-1449 are **not** enclosed herewith. However, applicants are happy to provide these references upon request.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR

1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 29618/38938. A duplicate copy of this paper is enclosed.

Dated: October 30, 2003

Respectfully submitted,

By 

Russell C. Petersen

Registration No.: 53,457

MARSHALL, GERSTEIN & BORUN LLP

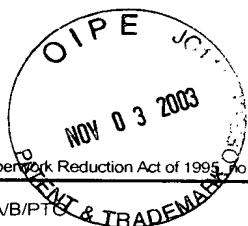
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Sheet

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of

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| Complete if Known      |                  |
|------------------------|------------------|
| Application Number     | 10/626,081       |
| Filing Date            | July 24, 2003    |
| First Named Inventor   | David C. Eby     |
| Art Unit               | Not Yet Assigned |
| Examiner Name          | Not Yet Assigned |
| Attorney Docket Number | 29618/38938      |

### U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
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| Examiner Signature | Date Considered |
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STATEMENT BY APPLICANT

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| Sheet | 2 | of | 3 | Attorney Docket Number | 29618/38938 |
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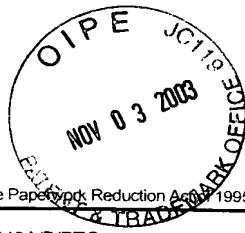
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## FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear | T <sup>6</sup> |
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|                    |                       | Country Code <sup>2</sup> -Number <sup>3</sup> -Kind Code <sup>5</sup> (if known) |                                |  |   |                |
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|-------|---|----|---|------------------------|-------------|
| Sheet | 3 | of | 3 | Attorney Docket Number | 29618/38938 |
|-------|---|----|---|------------------------|-------------|

### Complete if Known

|                      |                  |
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| Application Number   | 10/626,081       |
| Filing Date          | July 24, 2003    |
| First Named Inventor | David C. Eby     |
| Art Unit             | Not Yet Assigned |
| Examiner Name        | Not Yet Assigned |

| NON PATENT LITERATURE DOCUMENTS |                       |   |
|---------------------------------|-----------------------|---|
| Examiner Initials               | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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Application No. (if known): 10/626,081

Attorney Docket No.: 29618/38938

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